

JAN 03 2006

1001 G STREET, N.W.
WASHINGTON, D.C. 20001-4597TEL: 202.824.3000
FAX: 202.824.3001
www.bannerwitcoff.com**BANNER & WITCOFF, LTD.**
INTELLECTUAL PROPERTY LAW**FACSIMILE TRANSMITTAL SHEET****To:**

Examiner Creighton Smith

FROM: BRADLEY**C. WRIGHT, REG. NO. 38,061****COMPANY:**

U.S. Patent and Trademark Office

DATE:

January 3, 2006

FAX NUMBER:

571-273-8300

TOTAL NO. OF PAGES (INCLUDING COVER SHEET):

36

APPLICATION NO.: 09/867,616Request for Reconsideration of Holding of
Abandonment**ATTORNEY DOCKET NO.:**

006918.00020

*If you do not receive all page(s) or have any problems receiving this transmission, please call:***NAME:**

Vicki van de Veerdonk

PHONE:

202-824-3241

COMMENTS:

I hereby certify that the following correspondence is being facsimile transmitted to the Patent and Trademark Office on January 3, 2006 to 571-273-8300:

Request for Reconsideration of Holding of Abandonment with attachments.

Signature: Bradley C. Wright, Reg. No. 38,061/

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CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND, OR

JAN 03 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---------------------------------|---|----------------------------------|
| In Re Application Of |) | |
| |) | Group A.U.: 2645 |
| GRAHAM THOMAS |) | |
| |) | Examiner: C. SMITH |
| Serial No.: 09/867,616 |) | |
| |) | Attorney Docket No. 006918.00020 |
| Filed: May 31, 2001 |) | |
| |) | |
| For: CONFERENCE CALL METHOD AND |) | |
| APPARATUS THEREFOR |) | |
| |) | |

**REQUEST FOR RECONSIDERATION OF
HOLDING OF ABANDONMENT****VIA FACSIMILE**

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

This paper is filed pursuant to M.P.E.P. § 711.03 and the telephone call held today between the undersigned attorney and Supervisory Examiner Fan Tsang. According to Examiner Tsang, several PTO papers were missing from the PTO's electronic file for this application, including the Withdrawal from Issue paper mailed by the PTO on April 5, 2004 to the applicant. Examiner Tsang recommended filing this paper rather than a petition to revive the application. This paper includes copies of the papers that are apparently missing from the PTO's file, in reverse chronological order.

This application was filed on May 31, 2001. On March 17, 2004, the PTO issued a Notice of Allowance and a Notice of Allowability, indicating that claims 1-19 were allowed (attached).

On March 30, 2004, applicant's representative from the law firm of Antonelli, Terry, Stout & Kraus filed a Request for Corrected Notice of Allowability (see attached), asserting that the Notice of Allowability failed to take into account the preliminary amendment filed on May 31, 2001, including the fact that claim 19 had been canceled, and new claims 20-48 were added.

Application Serial No. 09/867,616**Atty. Dkt No. 005288.00049**

On April 5, 2004, the PTO issued a Withdrawal From Issue paper (Paper No. 6, attached), stating that the application had been withdrawn from issue. The paper was signed by Mark Powell, Director, TC 2600.

On August 3, 2004, the PTO issued a Notice of Abandonment (Paper No. 7, attached), stating that applicants had failed to timely pay the issue fee.

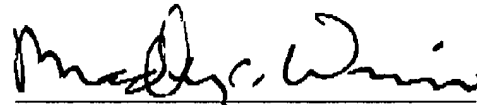
On August 12, 2004, applicant's representative from the law firm of Antonelli, Terry, Stout & Kraus filed a Response to the Notice of Abandonment (see attached), pointing out that the application could not have been abandoned because the Notice of Allowability had been withdrawn. The PTO never responded to this paper.

Recently, the undersigned law firm has been retained to handle prosecution of this application. Filed concurrently herewith is a new power of attorney empowering the undersigned to take over prosecution of this application.

Applicant requests that the notice of abandonment be withdrawn as improper and that the application be examined as expeditiously as possible. Any questions should be directed to the undersigned attorney.

Respectfully Submitted,

By:



Bradley C. Wright
Registration No. 38,061

BANNER & WITCOFF, LTD.
1001 G Street, N.W., 11th Floor
Washington, D.C. 20001
(202) 824-3160

Dated: January 3, 2006

Attached: 33 pages of PTO papers

**RECEIVED
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JAN 03 2006

1156.40151X00
NC 25117 US**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Graham THOMAS
Serial No.: 09/867,616
Filed: May 31, 2001
Title: Conference Call Method And Apparatus Therefore
Art Unit: 2645
Examiner: C. Smith

RESPONSE TO NOTICE OF ABANDONMENT

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 12, 2004

Sir:

This is in response to the August 3, 2004 Notice of Abandonment which states that Applicants failure to pay the Issue Fee has resulted in abandonment. Attached hereto is a copy of Paper No. 6, captioned "Withdrawal From Issue".

As may be seen from the enclosed Paper No. 6, the United States Patent and Trademark Office has withdrawn the application from issue which means that the application is not abandoned. Reinstatement of the application to active status and further examination in accordance with the withdrawal from issue is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account

No. 01-2135 (367.37314X00) and please credit any excess fees to such
Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Donald E. Stout
Registration No. 26,422
(703) 312-6600

Attachment

DES:dlh



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

APR 05 2004

Paper No. 6

In re Application of THOMAS, GRAHAM
Appl. No.: 09/867,616
Filed: May 31, 2001
For: Conference call method and apparatus therefor

WITHDRAWAL FROM
ISSUE
37 CFR 1.313

The purpose of this communication is to inform you that the above identified application is being withdrawn from issue pursuant to 37 CFR 1.313.

The application is being withdrawn to permit reopening of prosecution. The reasons therefor will be communicated to you by the examiner.

U.S. Patent and Trademark Office records reveal that the issue fee and the publication fee have not been paid. If the issue fee and the publication fee have been submitted, the applicant may request a refund, or may request that the fee be credited to a deposit account. However, applicant may wait until the application is either again found allowable or held abandoned. If the application is allowed, upon receipt of a new Notice of Allowance and Issue and Publication Fee Due, applicant may request that the previously submitted issue fee and publication fee be applied toward payment of the issue fee and publication fee in the amount identified on the new Notice of Allowance and Issue and Publication Fee Due. If the application is abandoned, applicant may request either a refund or a credit to a specified Deposit Account.

The application is being forwarded to the examiner for action.

Mark Powell
Director
Patent Examining Technology Center 2600

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22312-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/867,616 | 05/31/2001 | Graham Thomas | 367.401.51X00 | 7063 |

20457 7390 08/03/2004

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889

EXAMINER

SMITH, CREIGHTON H

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.


UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

| | | | |
|--------------------|-------------|-----------------------|---------------------|
| APPLICATION NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|--------------------|-------------|-----------------------|---------------------|

09/867616

EXAMINER

ART UNIT

PAPER NUMBER

7

DATE MAILED:

NOTICE OF ABANDONMENT

ABANDONMENT

CONTACT PERSON IS:

TOM HAWKINS

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on 305-8380.
- ☐ A reply (with Certificate of Mailing or Transmission of _____) was received on _____ which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
- ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.
 (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- ☐ A reply was received on _____, but it does not constitute a proper reply, or a *bona fide* attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in the last box below).
- ☐ No reply has been received.
- ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
- ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85) (or Notice of Publication Fee Due).
- ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
 The issue fee by 37 CFR 1.18 is \$ _____. The publication fee, if required, by 37 CFR 1.18(d) is \$ _____.
- ☒ The issue fee and publication fee, if applicable, have not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTOL-37).
- ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
- ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below: _____

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

101 1432 (07/01)

Attachment to Notice of Abandonment

For questions concerning the notice contact Office of Patent Publication Image Assistance Center: 888-786-0101.

Information is also available on the USPTO Internet web site:
<http://www.uspto.gov/web/patents/pubs/abandonnotice.html>

Respond to the Notice of Abandonment by one of the following:

1. Petition To Withdraw Holding of Abandonment (See MPEP 711.03(c) I and 37 CFR § 1.181) No fee required

Where an applicant contends that the application is not in fact abandoned (e.g., a reply was in fact filed), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action. Any petition under 37 CFR § 1.181 to withdraw the holding of abandonment not filed within 2 months of the mail date of a Notice of Abandonment may be dismissed as untimely under 37 CFR § 1.181(f). In order for a petition to be granted, the evidence must be sufficient according to 37 CFR § 1.8(b) Certificate of Mailing 37 CFR § 1.10 "Express Mail" mailing or MPEP 503 Postcard Receipt as Prima Facie Evidence. The petition should be addressed as follows:
By mail: Mail Stop: Issue Fee, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By facsimile: 703-872-9306

2. Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office Action (MPEP 711.03(c) II and 37 CFR § 1.181). No fee required

Where an applicant contends that the original Notice of Allowance and Fee(s) Due was never received, if adequately supported, the Office may grant the petition and reissue the Office action. The showing required establishing non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.

Petition should be addressed to the Technology Center handling the application as follows:
By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By facsimile: 703-872-9306

3. Petition To Revive An Abandoned Application (See MPEP 711.03(c) III)

Where there is no dispute as to whether an application is abandoned (e.g., the applicant's contentions merely involve the cause of abandonment) a petition under 37 CFR § 1.137 (a) or (b) (accompanied by the appropriate petition fee) is necessary to revive the abandoned application. The text of these rules is available on the USPTO Internet Web site. Forms for these petitions, "Petition For Revival Of An Application For Patent Abandoned Unavoidably Under 37 CFR § 1.137(a)," PTO/SB/61, and "Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)," PTO/SB/64, are available in the forms section of the USPTO website: <http://www.uspto.gov>.

Petitions under 37 CFR § 1.137 should be addressed to the Office of Petitions as follows:
By mail: Mail Stop Petition, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By facsimile: 703-872-9306

Note: Abandonment takes place by operation of law for failure to reply to an Office action or timely pay the issue fee, not by operation of the mailing of a Notice of Abandonment

1156, 4015N~~00~~
ID5

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

APR 05 2004

Paper No. 6

In re Application of THOMAS, GRAHAM
Appl. No.: 09/867,616
Filed: May 31, 2001
For: Conference call method and apparatus therefor

:
: **WITHDRAWAL FROM**
: **ISSUE**
: **37 CFR 1.313**
:
:
:
:
:

The purpose of this communication is to inform you that the above identified application is being withdrawn from issue pursuant to 37 CFR 1.313.

The application is being withdrawn to permit reopening of prosecution. The reasons therefor will be communicated to you by the examiner.

U.S. Patent and Trademark Office records reveal that the issue fee and the publication fee have not been paid. If the issue fee and the publication fee have been submitted, the applicant may request a refund, or may request that the fee be credited to a deposit account. However, applicant may wait until the application is either again found allowable or held abandoned. If the application is allowed, upon receipt of a new Notice of Allowance and Issue and Publication Fee Due, applicant may request that the previously submitted issue fee and publication fee be applied toward payment of the issue fee and publication fee in the amount identified on the new Notice of Allowance and Issue and Publication Fee Due. If the application is abandoned, applicant may request either a refund or a credit to a specified Deposit Account.

The application is being forwarded to the examiner for action.

Mark Powell
Director
Patent Examining Technology Center 2600

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889

USPTO 3/30/2004 5:28 PM PAGE 1/001 Fax Server
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TO: Fax Sender at 703 312 6666
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Date Received: 3/30/2004 5:24:12 PM [Eastern Standard Time]
Total Pages: 16 (Including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
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|---|--|--|------|
| 03/30/04 15:24 FAX 703 312 6666 | | A T T N | 1641 |
| <p>ANTONELLI, TERRY, STOUT & KRAUS, LLP SUITE 1800 1800 NORTH SEVENTEENTH STREET ARLINGTON, VIRGINIA 22209 TELEPHONE (703) 312-8800 FACSIMILE (703) 312-8891 antonelli@antonielli.com</p> | | <p>OF COURTESY GARY TERRY WANDA A. KRAUS ANTONELLI, TERRY, STOUT & KRAUS, LLP 1800 NORTH SEVENTEENTH STREET ARLINGTON, VIRGINIA 22209 TELEPHONE (703) 312-8800 FACSIMILE (703) 312-8891 antonelli@antonielli.com</p> | |
| <p>VIA FACSIMILE - 16 PAGES (Including This Cover) Commissioner for Patents POB 1450, Alexandria, VA 22313-1450 Transmitted to USPTO Central Fax No. 703-872-9306</p> | | | |
| <p>Re: G. THOMAS, Serial No. 09/087,818 App. Docket # 1168.40151X00 Ex. C. Smith/AU 2646/USPTO Conf. No. 7063</p> | | | |
| <p>SUBMISSION</p> | | | |
| <p>Re: Applicant hereby transmits the attached "REQUEST FOR CORRECTED NOTICE OF ALLOWABILITY" (with attachment copy of Post Card Receipt and Preliminary Amendment) (15 pages) regarding the above-identified application.</p> | | | |
| <p>CERTIFICATE OF TRANSMISSION:</p> | | | |
| <p>I hereby certify that the attached "Request for Corrected Notice of Allowability (with attachments)" (15 pages) is being FORMALLY TRANSMITTED via the USPTO Central Fax No. 703-872-9306 on 30 March 2004.</p> | | | |
| <p><i>Joy L. Allen</i> Joy L. Allen</p> | | | |
| <p>CONFIDENTIALITY NOTICE: The documents accompanying this facsimile transmission contain confidential information belonging to the sender which is legally privileged. This information is intended only for the use of the individual(s) or entity(ies) named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile information is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original document to us.</p> | | | |
| <p>PAGE 11/16 * RCVD AT 3/30/04 3:11:29 PM [Eastern Standard Time] * SVR:USPTO-EFXXRF-6/28 * DNIS:2738300 * CSID:202 824 3001 * DURATION (mm:ss):09:02</p> | | | |

03/30/04 TUE 18:27 FAX 703 312 6666

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 *** TX REPORT ***

TRANSMISSION OK

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DONALD R. ANTONELLI
 MELVIN KRAUS
 WILLIAM L. SOLOMON*
 GREGORY E. MONTONE
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 DONALD E. STOUT
 ALAN E. SCHIAVULLI
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 HUNG H. BUI*
 ALFRED A. STADNICK*

*ADMITTED OTHER THAN VA

LAW OFFICES
ANTONELLI, TERRY, STOUT & KRAUS, LLP

SUITE 1800
 1300 NORTH SEVENTEENTH STREET
 ARLINGTON, VIRGINIA 22209

TELEPHONE (703) 312-6600
 FACSIMILE (703) 312-6666
 email@antonelli.com

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 HAROLD A. WILLIAMSON*

FREDERICK D. BAILEY
 RALPH T. WEBB*
 STERLING W. CHANDLER*

PATENT AGENT
 LARRY N. ANAGNOS

VIA FACSIMILE - **16 PAGES** (Including This Cover)

Commissioner for Patents
 POB 1450, Alexandria, VA 22313-1450
 Transmitted to USPTO Central Fax No. 703-872-9306

Re: G. THOMAS, Serial No. 09/867,616
 Att'y Docket 1156.40151X00
Ex. C. Smith/AU 2645/USPTO Conf. No. 7063

SUBMISSION

Sir:

Applicant hereby transmits the attached "REQUEST FOR CORRECTED NOTICE OF ALLOWABILITY" (with attachment copy of Post Card Receipt and Preliminary Amendment) (15 pages) regarding the above-identified application.

CERTIFICATE OF TRANSMISSION:

I hereby certify that the attached "Request for Corrected Notice of Allowability (with attachments)" (15 pages) is being **FORMALLY TRANSMITTED** via the USPTO Central Fax No. 703-872-9306 on **30 March 2004**.

[Handwritten signature]

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JAN 03 2006

DONALD R. ANTONELLI
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WILLIAM I. SOLOMON*
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RONALD J. SHORE
DONALD E. STOUT
ALAN E. SCHIAVELLI
CARL I. BRUNDIDGE*
PAUL J. SKWIERAWSKI*
HUNG H. BUI*
ALFRED A. STADNICKI*
*ADMITTED OTHER THAN VA

LAW OFFICES
ANTONELLI, TERRY, STOUT & KRAUS, LLP

SUITE 1800
1300 NORTH SEVENTEENTH STREET
ARLINGTON, VIRGINIA 22209

TELEPHONE (703) 312-6600
FACSIMILE (703) 312-6666
email@antonelli.com

OF COUNSEL
DAVID T. TERRY
HAROLD A. WILLIAMSON*

FREDERICK D. BAILEY
RALPH T. WEBB*
STERLING W. CHANDLER*

PATENT AGENT
LARRY W. ANAGNUS

VIA FACSIMILE - **16 PAGES** (Including This Cover)

Commissioner for Patents
POB 1450, Alexandria, VA 22313-1450
Transmitted to USPTO Central Fax No. 703-872-9306

Re: G. THOMAS, Serial No. 09/867,616
Att'y Docket 1158.40151X00
Ex. C. Smith/AU 2645/USPTO Conf. No. 7063

SUBMISSION

Sir:

Applicant hereby transmits the attached "REQUEST FOR CORRECTED NOTICE OF ALLOWABILITY" (with attachment copy of Post Card Receipt and Preliminary Amendment) (15 pages) regarding the above-identified application.

CERTIFICATE OF TRANSMISSION:

I hereby certify that the attached "Request for Corrected Notice of Allowability (with attachments)" (15 pages) is being **FORMALLY TRANSMITTED** via the USPTO Central Fax No. 703-872-9306 on **30 March 2004**.


Joy L. Aiken

CONFIDENTIALITY NOTICE: The documents accompanying this facsimile transmission contain confidential information belonging to the sender which is legally privileged. This information is intended only for the use of the individual(s) or entity(ies) named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile information is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original document to us.

JAN 03 2006

1156.40151X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: G. THOMAS

Serial No.: 09/867,616

Filed: May 31, 2001

Title: Conference Call Method And Apparatus Therefor

Art Unit: 2645

Examiner: C. Smith

REQUEST FOR CORRECTED NOTICE OF ALLOWABILITY

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 30, 2004

Sir:

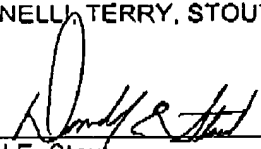
This is in response to the Notice of Allowance and Issue Fee Due
mailed March 17, 2004.

Applicants note the Notice of Allowability indicates that claims 1 - 19
are allowed. However, it will be noted that claims 20 - 48 are also pending in
this application. Claim 19 was canceled by Preliminary Amendment filed May
31, 2001 and new claims 20 - 48 were newly presented. A copy of applicants'
Preliminary Amendment and post card receipt evidencing receipt of the
Preliminary Amendment is attached.

It is respectfully requested that a corrected Notice of Allowability be issued indicating that claims 1 - 18 and 20 - 48 are allowed.

Respectfully submitted,

ANTONELLI TERRY, STOUT & KRAUS, LLP



Donald E. Stout
Registration No. 26,422

DES/jla
(703) 312-6600

Patent ☒ Trademark ☐ 367.40151X00
Serial No. _____ Filed May 31, 2001
Applicant(s) THOMAS, Graham
Papers filed herewith on May 31, 2001
☒ Fees \$ 1,236.00 ☒ Assignment w/ltr.
☒ New Application w/decl. ☐ Letter to Draftsman
☒ Amendment Prelim. ☒ Priority Documents w/ltr.
☐ Notice of Appeal ☐ Petition for Ext. of Time
☐ Appeal Brief ☒ 3 Sheets of Formal Drawings
☒ Other Specification, (48) Claims, Abstract (12 pgs), Figs. 1-3, Declaration (2 pgs), Int'l Search Report w/refs, Substitute Specification w/marked up copy, Credit Card Payment Form
Receipt is hereby acknowledged of the papers filed as indicated in connection with above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS
DES/olb May 31, 2001 PAT 00010 US

367.40151X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: G. THOMAS
Serial No.: (Not Yet Assigned)
Filed: (On Even Date Herewith)
For: CONFERENCE CALL METHOD AND APPARATUS
THEREFOR
Art Unit: (Not Yet Assigned)
Examiner: (Not Yet Assigned)

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

May 29, 2001

Sir:

Prior to calculation of the filing fee, please amend the above-identified application as follows.

IN THE SPECIFICATION:

Please amend the specification as indicated in the marked-up copy of the original specification. A substitute specification is included to replace the original specification.

IN THE CLAIMS:

Please replace original claims 1-18 with the following claims:

1. A communications device for performing conferencing, the device being operable in a first radio communications network and a second different radio communications network and comprising a first transceiver for establishing a channel for connection in the first network and a second transceiver for establishing a channel for connection in the second network and a controller for establishing a call in the first network and routing the call through the channel in the second network.
2. A device as claimed in Claim 1, wherein the controller is operable to selectably add members of the first network to the call.
3. A device as claimed in Claim 2, including a memory holding data relating to current members of the first network from which the controller selects members to add to the call.
4. A device as claimed in Claim 1, wherein the controller is operable to remove a member of the first network from the call.
5. A device as claimed in Claim 3, wherein the controller, in accordance with data held in the memory, is inhibited from the selection of a current member of the first network for addition to the call.
6. A device as claimed in Claim 1, wherein the first transceiver is adapted for use in a low power radio frequency network.

7. A device as claimed in Claim 1, wherein the second transceiver is adapted for use in a cellular mobile radio network.

8. A method of performing conferencing using a communications device and comprising establishing a channel for connection in a first network, establishing a channel for connection in a second different network, establishing a call in the first network and routing the call through the channel in the second network.

9. A method as claimed in Claim 8, including selecting members of the first network to add to the call.

10. A method as claimed in Claim 8, including storing data relating to current members of the first network.

11. A method as claimed in Claim 9, including storing data indicative of whether a member of the first network may be selected for addition to the call.

12. A method as claimed in Claim 8, including removing a member of the first network from the call.

13. A first radio communications network including a device as claimed in Claim 1.

14. A radio communications system comprising a base station of a second radio communications network and a plurality of communication devices forming a

- first wireless communications network, at least one of which devices being operable in the first radio communications network and the second different radio
- 5 communications network and comprising a first transceiver for establishing a channel for connection in the first network and a second transceiver for establishing a channel for connection to the base station in the second network and a controller for establishing a call in the first network and routing the call through the channel in the second network.

15. A system as claimed in Claim 14, wherein the controller is selectably operable and add members of the first network to the call.

16. A system as claimed in Claim 14, wherein the device includes a memory holding data relating to current members of the first network.

17. A system as claimed in Claim 14, in which the first transceiver is adapted for use in a low power radio frequency network.

18. A system as claimed in Claim 14, in which the second transceiver is adapted for use in a cellular mobile radio network.

Please cancel claim 19 without prejudice or disclaimer of the subject matter thereof.

Please add new claims 20-48 as follows:

--20. A device as claimed in Claim 2, wherein the controller is operable to remove a member of the first network from the call.

21. A device as claimed in Claim 3, wherein the controller is operable to remove a member of the first network from the call.

22. A device as claimed in Claim 21, wherein the controller, in accordance with data held in the memory, is inhibited from the selection of a current member of the first network for addition to the call.

23. A device as claimed in Claim 2, wherein the first transceiver is adapted for use in a low power radio frequency network.

24. A device as claimed in Claim 3, wherein the first transceiver is adapted for use in a low power radio frequency network.

25. A device as claimed in Claim 4, wherein the first transceiver is adapted for use in a low power radio frequency network.

26. A device as claimed in Claim 5, wherein the first transceiver is adapted for use in a low power radio frequency network.

27. A device as claimed in Claim 2, wherein the second transceiver is adapted for use in a cellular mobile radio network.

28. A device as claimed in Claim 3, wherein the second transceiver is adapted for use in a cellular mobile radio network.

29. A device as claimed in Claim 4, wherein the second transceiver is adapted for use in a cellular mobile radio network.

30. A device as claimed in Claim 5, wherein the second transceiver is adapted for use in a cellular mobile radio network.

31. A device as claimed in Claim 6, wherein the second transceiver is adapted for use in a cellular mobile radio network.

32. A method as claimed in Claim 9, including storing data relating to current members of the first network.

33. A method as claimed in Claim 10, including storing data indicative of whether a member of the first network may be selected for addition to the call.

34. A method as claimed in Claim 9, including removing a member of the first network from the call.

35. A method as claimed in Claim 10, including removing a member of the first network from the call.

36. A method as claimed in Claim 11, including removing a member of the first network from the call.

37. A first radio communications network including a device as claimed in Claim 2.

38. A first radio communications network including a device as claimed in Claim 3.

39. A first radio communications network including a device as claimed in Claim 4.

40. A first radio communications network including a device as claimed in Claim 5.

41. A first radio communications network including a device as claimed in Claim 6.

42. A first radio communications network including a device as claimed in Claim 7.

43. A system as claimed in Claim 15, wherein the device includes a memory holding data relating to current members of the first network.

44. A system as claimed in Claim 15, in which the first transceiver is adapted for use in a low power radio frequency network.

45. A system as claimed in Claim 16, in which the first transceiver is adapted for use in a low power radio frequency network.

46. A system as claimed in Claim 15, in which the second transceiver is adapted for use in a cellular mobile radio network.

47. A system as claimed in Claim 16, in which the second transceiver is adapted for use in a cellular mobile radio network.

48. A system as claimed in Claim 17, in which the second transceiver is adapted for use in a cellular mobile radio network.—

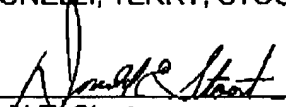
REMARKS

The claims have been amended to remove multiple dependent claims prior to calculation of the filing fee.

Please charge any shortage in fees due in connection with the filing of this paper, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (367.40151X00).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Donald E. Stout
Registration No. 26,422

DES:pc
(703) 312-6600

Attachments

ORIGINAL CLAIMS MARKED-UP

1. A communications device for performing conferencing, the device being operable in a first radio communications network and a second different radio communications network and comprising a first transceiver for establishing a channel for connection in the first network and a second transceiver for establishing a channel for connection in the second network and a controller for establishing a call in the first network and routing the call through the channel in the second network.
2. A device as claimed in Claim 1, wherein the controller is operable to selectably add members of the first network to the call.
3. A device as claimed in Claim 2, including a memory holding data relating to current members of the first network from which the controller selects members to add to the call.
4. A device as claimed in ~~any preceding~~ Claim 1, wherein the controller is operable to remove a member of the first network from the call.
5. A device as claimed in Claim 3, ~~and in any Claim appendant thereto,~~ wherein the controller, in accordance with data held in the memory, is inhibited from the selection of a current member of the first network for addition to the call.
6. A device as claimed in ~~any preceding~~ Claim 1, wherein the first

transceiver is adapted for use in a low power radio frequency network.

7. A device as claimed in ~~any preceding~~ Claim 1, wherein the second transceiver is adapted for use in a cellular mobile radio network.

8. A method of performing conferencing using a communications device and comprising establishing a channel for connection in a first network, establishing a channel for connection in a second different network, establishing a call in the first network and routing the call through the channel in the second network.

9. A method as claimed in Claim 8, including selecting members of the first network to add to the call.

10. A method as claimed in Claim 8, ~~or Claim 9~~, including storing data relating to current members of the first network.

11. A method as claimed in Claim 9, ~~or Claim 10~~ as appendant thereto, including storing data indicative of whether a member of the first network may be selected for addition to the call.

12. A method as claimed in ~~any one of Claims 8 to 11~~, Claim 8, including removing a member of the first network from the call.

13. A first radio communications network including a device as claimed in

~~any one of Claims 1 to 7~~ Claim 1.

14. A radio communications system comprising a base station of a second radio communications network and a plurality of communication devices forming a first wireless communications network, at least one of which devices being operable in the first radio communications network and the second different radio
- 5 communications network and comprising a first transceiver for establishing a channel for connection in the first network and a second transceiver for establishing a channel for connection to the base station in the second network and a controller for establishing a call in the first network and routing the call through the channel in the second network.

15. A system as claimed in Claim 14, wherein the controller is selectably operable and add members of the first network to the call.

16. A system as claimed in Claim 14, ~~or Claim 15~~, wherein the device includes a memory holding data relating to current members of the first network.

17. A system as claimed in ~~any one of Claims 14 to 16~~, Claim 14, in which the first transceiver is adapted for use in a low power radio frequency network.

18. A system as claimed in ~~any one of Claims 14 to 17~~, Claim 14, in which the second transceiver is adapted for use in a cellular mobile radio network.

~~19. A device as claimed in Claim 2, wherein the controller is operable to remove a member of the first network from the call.~~



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NOTICE OF ALLOWANCE AND FEE(S) DUE

JAN 03 2006

020457 7590 03/17/2004

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889

EXAMINER

SMITH, CREIGHTON H

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 03/17/2004

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/867,616 | 05/31/2001 | Graham Thomas | 367.40151X00 | 7063 |

TITLE OF INVENTION: CONFERENCE CALL METHOD AND APPARATUS THEREFOR

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1330 | \$300 | \$1630 | 06/17/2004 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/867,616 | 05/31/2001 | Graham Thomas | 367.40151X00 | 7063 |
| 020457 | 7590 | 03/17/2004 | EXAMINER | |
| ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-9889 | | | SMITH, CREIGHTON II | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2645 | |

DATE MAILED: 03/17/2004

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 595 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 595 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

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CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

020457 7590 03/17/2004

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

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| (Depositor's name) |
| (Signature) |
| (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/867,616 | 05/31/2001 | Graham Thomas | 367.40151X00 | 7063 |

TITLE OF INVENTION: CONFERENCE CALL METHOD AND APPARATUS THEREFOR

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1330 | \$300 | \$1630 | 06/17/2004 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|--------------------|----------|----------------|
| SMITH, CREIGHTON H | 2645 | 455-416000 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee
- ☐ Advance Order - # of Copies _____

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- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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4

DATE MAILED:

This is a communication from the examiner in charge of this application.
COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- ☒ This communication is responsive to Application filed 05.31.2001
- ☒ The allowed claim(s) is/are FN
- ☒ The drawings filed on 05.31.2001 are acceptable as formal drawings.
- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- ☒ All ☐ Some* ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.138(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☐ Applicant MUST submit NEW FORMAL DRAWINGS
- ☐ because the originally filed drawings were declared by applicant to be Informal.
- ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____.
- ☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.
- ☐ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. _____.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings.

- ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this notice should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 3
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Interview Summary, PTO-413
- ☐ Examiner's Amendment/Comment
- ☐ Examiner's Comment Regarding Requirement for the Deposit of Biological Material
- ☐ Examiner's Statement of Reasons for Allowance

Application/Control Number: 09/867,616
Art Unit: 2645

Page 2

The following is an examiner's statement of reasons for allowance: The closest piece of prior art to applicant's claims was that submitted by applicant, WIPO 99/29126 to Joeressen. However, Joeressen fails to disclose that the conference call is established in the 1st network (LPRF) and then routed, or transferred into the 2nd network (GSM/PLMN). No obvious combination of references found would have taught one of ordinary skill in the art to make and use applicant's apparatus as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Creighton h Smith whose telephone number is 308-2488. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, fan tsang can be reached on 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Application/Control Number: 09/867,616
Art Unit: 2645

Page 3

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Creighton H Smith
Primary Examiner
Art Unit 2645

| | | | | | | |
|-----------------------------------|---|----------------|-------------------------------------|------------|-------------------------------|----------|
| Notice of References Cited | | | Application No. 09/867616 | | Applicant(s) Graham | |
| | | | Examiner Smith, C.H. | | Group Art Unit 2695 | |
| | | | | | Page 4 of 4 | |
| U.S. PATENT DOCUMENTS | | | | | | |
| * | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | |
| A | 5406513 | 4/1995 | CANARIS et al | 365 | 181 | |
| B | 6028721 | 2/2000 | MALIK et al | 379 | 207 | |
| C | 6324279 | 11/2001 | KALMANEK, JR. et al | 379 | 229 | |
| D | 5327492 | 7/1994 | PAROLA | 379 | 361 | |
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* A copy of this reference is not being furnished with this Office action.
(See Manual of Patent Examining Procedure, Section 707.05(a).)

